

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MAY 23, 2016 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Fellers; Council Members: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; City Clerk: Teresa Meier.

Council Chair Fellers announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

RAYBOULD Having been appointed to read the minutes of the City Council proceedings of May 16, 2016, reported having done so, found same correct.

Seconded by Camp & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ELECTION OF COUNCIL CHAIR PERSON AND VICE CHAIR PERSON

Council Chair Fellers conducted nominations for the office of Chair for the City Council. Council Member Roy Christensen nominated Leirion Gaylor Baird.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

As newly elected Chair, Leirion Gaylor Baird conducted the nominations for the office of Vice Chair for the City Council. Council Member Trent Fellers nominated Roy Christensen.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING

APPOINTING DR. KATHERINE GARCIA, DDS TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR A TERM EXPIRING APRIL 15, 2019 - Judy Halstead, Lincoln Lancaster County Health Department, came forward and shared that on the Board of Health appointments the State Statue requires Council to consider up to three local physicians that have been provided by the Association. Dr. Garcia is filling an expired term as the dentist representative on the Board. Dr. Garcia is the only representative who was brought forward for Council consideration.

Katherine Garcia, 3272 Salt Creek Circle, came forward and requested approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF KIRTI K. TRIVEDI FOR LNK LODGING, LLC DBA HOLIDAY INN EXPRESS & SUITES LINCOLN AIRPORT AT 1101 WEST COMMERCE WAY (PUBLIC HEARING & ACTION CONTINUED 1 WEEK TO 5/23/16) - Darrell Stock, 5533 S. 27th, Attorney, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF 1ST AVENUE LOUNGE, INC. DBA 1ST AVENUE LOUNGE FOR A CLASS I LIQUOR LICENSE AT 2310 NORTH 1ST STREET, SUITE 7, 8, AND 9;
MANAGER APPLICATION OF RONALD M. BRYANT FOR 1ST AVENUE LOUNGE, INC. DBA 1ST AVENUE LOUNGE AT 2310 NORTH 1ST STREET, SUITE 7, 8, AND 9 - Ronald M. Bryant, 2310 N. 1st Street, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF CHASE ELPL I, LLC DBA CHASE SUITE HOTEL FOR A CLASS I LIQUOR LICENSE AT 200 SOUTH 68TH STREET PLACE;
MANAGER APPLICATION OF JOSHUA D. ERIKSON FOR CHASE ELPL I, LLC DBA CHASE SUITE HOTEL AT 200 SOUTH 68TH STREET PLACE - Joshua Erikson, 200 S. 68th Place, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

MANAGER APPLICATION OF AARON J. WORTHAN FOR SAM'S WEST, INC. DBA SAM'S CLUB #6413 AT 4900 NORTH 27TH STREET - Jeff Sevenker, 4900 N. 27th, Sam's Club Asset Protection Manager, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF HONG ZHENG FOR SAVOR RESTAURANT, LLC DBA GINGER AT 6055 APPLES WAY - Hong Zheng, 6055 Apples Way, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

**REGULAR MEETING
MAY 23, 2016
PAGE 612**

APPLICATION OF LINCOLN CHILDREN'S ZOO FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 1500 FEET BY 400 FEET AT 1222 SOUTH 27TH STREET ON JUNE 3, 2016 FROM 6:00 P.M. TO MIDNIGHT - John Chapo, 2340 Stockwell Street, applicant, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 70 FEET BY 72 FEET AT 2100 MAGNUM CIRCLE, SUITE 1 ON JUNE 3, 2016 FROM 6:00 P.M. TO 10:00 P.M. AND JUNE 11, 2016 FROM 3:00 P.M. TO 9:00 P.M. - Craig Reier, 1524 Skyline Drive, applicant, came forward and requested approval.

This matter was taken under advisement.

MISCELLANEOUS 16002 - APPLICATION OF IRONWOOD PROPERTIES TO INSTALL A LIGHT POLE IN A BUILDING LINE DISTRICT PER SECTION 27.72.170, FOR PARKING LOT LIGHTING, ON PROPERTY GENERALLY LOCATED AT 4822 PIONEERS BOULEVARD - Steve Henrichsen, Planning Department, came forward and stated if this is approved, the applicant has agreed to install the lights at their costs, and the Planning Department has no objections.

This matter was taken under advisement.

TEXT AMENDMENT 15008 - AMENDING CHAPTER 3.100 OF THE CITY OF LINCOLN DESIGN STANDARDS FOR OUTDOOR LIGHTING, BY AMENDING SECTION 3 TO REVISE THE DEFINITION OF "CUTOFF AND FULL-CUTOFF"; AMENDING SECTION 4.1 TO ADD A NEW SUBSECTION C. TO PROVIDE THE MAXIMUM AVERAGE MAINTAINED ILLUMINANCE FOR OUTDOOR AREAS UNDER LIGHTED MARQUEES; AND AMENDING SUBSECTION 9.A TO ADD A NEW SUBSECTION 2 TO PROVIDE ACCEPTABLE GLARE MEASUREMENTS FOR ZERO SETBACK PROPERTIES, AND REPEALING SECTIONS 3, 4.1, AND 9.A AS HITHERTO EXISTING - Steve Henrichsen, Planning Department, came forward and stated this is trying to update a couple of sections with outdoor lighting on buildings and in parking lots. Over time, it was discovered there were issues in the design standards that were not addressed very well. There is currently no standard for LED lighting due to the way it is measured. In 2014, Olsson and Associates was hired to help come up with something that was comparable with the current standard. Building and Safety had been using their own standard to allow LED lighting in parking lights by using the 3.1.3 B.U.G. standard. Olsson and Associates worked with the Planning Department on a study. The study and the prepared text amendment were sent to a number of lighting design professionals. The feedback from all design professionals was that the study and the text amendment were acceptable. The actual text amendment was sent to the Planning Commission and they recommended approval with a vote of 6-1.

Tom Cjaka, Planning Department, came forward and said the proposed text is amending three sections: putting in a new classification called B.U.G. which stands for back light, up light, and glare; lighting under marquees; and a new subsection to help with the lot line. Planning Department proposed a B.U.G rating of 3.1.3 which is almost equivalent to what is currently known in the standard as "cut-off" and 3.0.3 which is almost equivalent to what the current standard states as "full cut-off." The B.U.G. ratings will not be replacing the two cut-off standards, but they will be additions. The B.U.G rating needs to be added because that is how LED lights are classified. There is currently a lighting standard that is needed for lights under marquees. The working group determined 4 foot candles to be appropriate. The final change is regarding the light trespass, and how it affects buildings when it has no set backs. When new buildings were being built in the Haymarket, the issue was that buildings were being built right at the lot line. If the light trespass is measured on the lot line then most likely you will not meet it and it will exceed the light trespass. The section was amended to state if the building was on the lot line and on a street or open space the measurement would be taken 10 feet off the lot line to help with the light trespass.

Ken Farchild, Olsson and Associates, 601 P Street, came forward in support.

Jane Raybould, Council Member, asked if any developers or property owners have been contacted and allowed their input on the changes.

Mr. Cjaka confirmed they did not specifically talk to any developers or business owners. The lighting designers that the study was sent to work with a lot of designers and a private sector. They felt if there were concerns the design professionals would have brought that up.

Ms. Raybould asked if any of the designers brought up any concern about the 4 foot candles under the marquees.

Mr. Farchild confirmed they started out with a couple of existing marquees that had gotten through the process which set a standard to go off. They then went back and created in the lighting design software and played with different levels. After running tests, the 4 foot candles seemed to be very effective for lighting that led into a building entrance. Discussion followed.

Ms. Raybould had concern about the public being safe while walking under a marquee.

Mr. Cjaka added there is nothing that will be reduced, but they are just adding the light trespass. There still has to be a waiver process if a business wants to go higher under a marquee. In addition, buildings are still allowed to have lighting on the walls.

Jon Camp, Council Member, inquired about the number of violations assessed against property owners regarding light trespass.

Terry Kathe, Building and Safety, stated violations are typically reviewed on a complaint basis. Typically, the issue comes when an electrician is hired to put up lights and are unaware of the standard. Once the complaint comes in, the plans are looked through and determined if there is a violation.

Carl Eskridge, Council Member, asked for clarification on the different classes of lighting.

Mr. Kathe confirmed different areas have different restrictions. Discussion followed.

Leirion Gaylor Baird, Council Chair, asked based on the amendment, what is the process if someone wanted to appeal or get a waiver.

Mr. Cjaka said there is still a waiver process and that is looked at case by case. It will then be looked at and determined if it is deemed appropriate. The cases are approved by the Planning Director. If the Planning Director denies the waiver, it can be appealed and then sent to the Planning Commission. If it is something more major, they can request a text change to amend the design standards.

This matter was taken under advisement.

APPROVING MICHEAL DESPAIN AS FIRE CHIEF EFFECTIVE JULY 18, 2016 - Tom Cassady, Public Safety Director, came forward and stated Mayor Beutler selected Mr. Despain as the new Fire Chief. Mr. Despain currently serves as Fire Chief in California and has a distinguished career in fire service for 31 years.

Michael Despain, came forward and requested approval. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING RUSSELL F. MILLER, HEATHER BAKER, AND ROGER (R.J.) LIPERT TO THE ALARM REVIEW BOARD FOR TERMS EXPIRING JULY 1, 2018 - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89720 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointments of Russell F. Miller, Heather Baker, and Roger (R.J.) Lipert to the Alarm Review Board, for terms expiring July 1, 2018, are hereby approved.

Introduced by Cyndi Lamm

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

REAPPOINTING ORVILLE JONES TO THE LINCOLN HOUSING AUTHORITY BOARD FOR A TERM EXPIRING JULY 1, 2021 - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89721 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Orville Jones to the Lincoln Housing Authority Board, for a term expiring July 1, 2021, is hereby approved.

Introduced by Cyndi Lamm

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

REAPPOINTING SCOTT SANDQUIST TO THE BOARD OF ZONING APPEALS FOR A TERM EXPIRING FEBRUARY 1, 2020 - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89722 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Scott Sandquist to the Board of Zoning Appeals, for a term expiring February 1, 2020, is hereby approved.

Introduced by Cyndi Lamm

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND VON BUSCH & SONS REFUSE FOR RECYCLING DROP-OFF COLLECTION SERVICES, PURSUANT TO BID NO. 16-055, FOR A TERM BEGINNING JUNE 1, 2016 THROUGH MAY 31, 2020 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE YEAR TERMS - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89723 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Contract between the City of Lincoln and Von Busch & Sons Refuse for Recycling Drop-off Collection Services, pursuant to Bid No. 16-055, for a term beginning June 1, 2016 through May 31, 2020, with the option to renew for two (2) additional one (1) year terms, upon the terms and condition as set forth in said Contract, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Cyndi Lamm

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPOINTING DR. KATHERINE GARCIA, DDS TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR A TERM EXPIRING APRIL 15, 2019 - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

**REGULAR MEETING
MAY 23, 2016
PAGE 614**

A-89724 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Dr. Katherine Garcia to the Lincoln-Lancaster County Board of Health,
for a term expiring April 15, 2019, is hereby approved.

Introduced by Cyndi Lamm

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY
COUNCIL ON MAY 2, 2016 - CLERK presented said report which was placed on file in the Office of the
City Clerk. (27-1)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY
COUNCIL ON MAY 9, 2016 - CLERK presented said report which was placed on file in the Office of the
City Clerk. (27-1)

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, JUNE 6, 2016, AT 3:00 P.M. ON THE MANAGER
APPLICATION OF COLIN F DARO FOR NHC LLC DBA CRAWFORD'S AT 101 NORTH 14TH
STREET, SUITE 6 - CLERK read the following resolution, introduced by Jane Raybould, who moved its
adoption:

A-89725 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set
for Monday, June 6, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers,
County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Colin F Daro for NHC
LLC dba Crawford's at 101 North 14th Street, Suite 6.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be
set.

Introduced by Jane Raybould

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JUNE 6, 2016, AT 3:00 P.M. ON THE APPLICATION OF
ASANTE IMPRESSIONS LLC DBA NORTH STAR EXPRESS FOR A CLASS D LIQUOR LICENSE
AT 5700 NORTH 33RD STREET CIRCLE - CLERK read the following resolution, introduced by Jane
Raybould, who moved its adoption:

A-89726 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set
for Monday, June 6, 2016, at 3:00 p.m. or as soon thereafter as possible in the City date will be
set.

Introduced by Jane Raybould

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JUNE 6, 2016, AT 3:00 P.M. ON THE APPLICATION OF
GEORGE'S GOURMET GRILL LLC DBA GOURMET GRILL FOR A CLASS C LIQUOR LICENSE
AT 6891 A STREET, SUITE 202 - CLERK read the following resolution, introduced by Jane Raybould,
who moved its adoption:

A-89727 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set
for Monday, June 6, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers,
County-City Building, 555 S. 10th St., Lincoln, NE for the Application of George's Gourmet Grill LL
Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Asante
Impressions LLC dba North Star Express for a Class D Liquor License at 5700 North 33rd Street Circle.

If the Police Dept. is unable to complete the investigation by said time, a new hearing C dba
Gourmet Grill for a Class C Liquor License at 6891 A Street, Suite 202.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be
set.

Introduced by Jane Raybould

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JUNE 6, 2016, AT 3:00 P.M. ON THE APPLICATION OF
ATEMAJAC INC. DBA LA CABANA FOR A CLASS I LIQUOR LICENSE AT 3223 CORNHUSKER
HIGHWAY - CLERK read the following resolution, introduced by Jane Raybould, who moved its
adoption:

A-89728 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set
for Monday, June 6, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers,
County-City Building, 555 S. 10th St., Lincoln, NE for the Application of ATEMAJAC Inc. dba La Cabana
for a Class I Liquor License at 3223 Cornhusker Highway.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be
set.

Introduced by Jane Raybould

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JUNE 6, 2016, AT 3:00 P.M. ON THE APPLICATION OF BACKSWING BREWING COMPANY LLC DBA BACKSWING BREWING COMPANY FOR A CLASS L LIQUOR LICENSE AT 500 WEST SOUTH STREET, SUITE 8 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89729 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 6, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Backswing Brewing Company LLC dba Backswing Brewing Company for a Class L Liquor License at 500 West South Street, Suite 8. If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JUNE 6, 2016, AT 3:00 P.M. ON THE APPLICATION OF BACKSWING BREWING COMPANY LLC DBA BACKSWING BREWING COMPANY FOR A CLASS CK LIQUOR LICENSE AT 500 WEST SOUTH STREET, SUITE 8 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89730 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 6, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Backswing Brewing Company LLC dba Backswing Brewing Company for a Class CK Liquor License at 500 West South Street, Suite 8. If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT:

SPECIAL PERMIT NO. 11022B, REQUESTED BY REGA ENGINEERING ON BEHALF OF GANA TRUCKING, TO ALLOW SOIL EXTRACTION, ON PROPERTY LEGALLY DESCRIBED AS THE REMAINING PORTION OF LOT 1, WOODLAWN WEST, AND A PORTION OF LOT 60 I.T., LOCATED IN THE NE 1/4 OF SECTION 31-11-6, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT NW 48TH STREET AND PURPLE HEART HIGHWAY.

SPECIAL PERMIT NO. 16001, REQUESTED BY TRIPLE S & L DEVELOPERS LLC, TO ALLOW AN AG COMMUNITY UNIT PLAN THAT INCORPORATES BUILD-THROUGH DESIGN ELEMENTS WITH WAIVERS OF THE DESIGN STANDARDS FOR THE INSTALLATION OF SIDEWALKS AND STREET TREES, BLOCK-LENGTH DISTANCE, SANITARY SEWER MAINS RUNNING OPPOSITE STREET GRADES, LOT-TO-DEPTH RATIO, AND THE MAXIMUM LOT AREA FOR LOTS THAT EXCEED ONE ACRE WITH A COMMUNITY SEWER SYSTEM, ON PROPERTY LEGALLY DESCRIBED AS LOTS 4, 23, AND 25, LOCATED IN THE NW 1/4 OF SECTION 4-8-7, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT SOUTH 68TH STREET AND SALTILLO ROAD.

SPECIAL PERMIT NO. 16004, REQUESTED BY TRIPLE S & L DEVELOPERS, LLC, TO ALLOW SOIL EXCAVATION, ON PROPERTY LEGALLY DESCRIBED AS LOTS 23 AND 25, IRREGULAR TRACTS, AND THE NW 1/4 OF THE NE 1/4 ALL LOCATED IN THE NE 1/4 OF SECTION 4-8-7, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT SOUTH 68TH STREET AND SALTILLO ROAD. THE PLANNING COMMISSION ACTION IS FINAL, UNLESS APPEALED TO THE CITY COUNCIL.

SPECIAL PERMIT NO. 16020, REQUESTED BY PASTOR ADAM WHITE, FOR THE RECONSTRUCTION AND EXPANSION OF A NONCONFORMING CHURCH, INCLUDING WAIVERS TO SETBACKS, BUILDING HEIGHT, AND PARKING, ON PROPERTY LEGALLY DESCRIBED AS THE EAST 120 FEET OF THE SOUTH 2/3 OF LOT 21, LITTLES (SW) SUBDIVISION, LOCATED IN THE WEST 1/2 OF THE SW 1/4 OF SECTION 24-10-6, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT 535 NORTH 16TH STREET.

SPECIAL PERMIT NO. 16024, REQUESTED BY WHITE ELM BREWING, TO ALLOW FOR THE SALE OF ALCOHOL FOR CONSUMPTION BOTH ON AND OFF THE PREMISES, ON PROPERTY LEGALLY DESCRIBED AS PORTIONS OF OUTLOTS A AND B, SOUTH PARK ADDITION, AND PORTIONS OF LOTS 127 AND 150, IRREGULAR TRACTS, ALL LOCATED IN THE SW 1/4 OF SECTION 35-10-6, LINCOLN, LANCASTER COUNTY, NEBRASKA, GENERALLY LOCATED AT 2717 SOUTH 8TH STREET, # 1.

**REGULAR MEETING
MAY 23, 2016
PAGE 616**

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

ADMINISTRATIVE AMENDMENT NO. 16026 TO SPECIAL PERMIT #07038, THE FALLS, APPROVED BY THE PLANNING DIRECTOR ON MAY 9, 2016, TO DELETE THE PROPOSED PARKING LOT WEST OF THE BUILDING AND INSTALL TWO NEW PARKING SPACES IN ITS PLACE, AND TO DELETE THE PROPOSED RECEPTION AREA THEREBY REDUCING THE AREA LICENSED FOR THE SALE OF ALCOHOL FOR CONSUMPTION ON THE PREMISES, ON PROPERTY GENERALLY LOCATED AT N. 59TH AND ADAMS STREETS.

ADMINISTRATIVE AMENDMENT NO. 16017 TO SPECIAL PERMIT #13022, JOSHUA'S GLEN CUP, APPROVED BY THE PLANNING DIRECTOR ON MAY 10, 2016, TO ADD THE DIMENSIONS FOR THE MINIMUM FRONT SETBACK, SEPARATION BETWEEN CURB AND SIDEWALK, AND SEPARATION BETWEEN THE SIDEWALK AND GARAGE FOR THE TOWNHOUSE LOTS FRONTING ONTO SHAILEE COURT AND KAYLA COURT, ON PROPERTY GENERALLY LOCATED AT S. 56TH STREET AND SHADOW PINES DRIVE.

ADMINISTRATIVE AMENDMENT NO. 16018 TO FINAL PLAT #13020, WATERFORD ESTATES 9TH ADDITION, APPROVED BY THE PLANNING DIRECTOR ON MAY 10, 2016, TO ACCEPT THE AFFIDAVIT OF SURVEYOR TO CORRECT TYPOGRAPHICAL ERRORS, ON PROPERTY GENERALLY LOCATED AT LINWOOD LANE AND SOUTHERN SKY CIRCLE.

ADMINISTRATIVE AMENDMENT NO. 16030 TO USE PERMIT #116, NORTHERN LIGHTS COMMERCIAL CENTER, APPROVED BY THE PLANNING DIRECTOR ON MAY 12, 2016, TO REDISTRIBUTE THE AREA OF LOTS 7-9 INTO TWO LOTS AND UPDATE THE CONCEPTUAL SITE PLAN FOR LOT 1, ON PROPERTY GENERALLY LOCATED AT N. 84TH STREET AND HOLDREGE STREET.

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF KIRTI K. TRIVEDI FOR LNK LODGING, LLC DBA HOLIDAY INN EXPRESS & SUITES LINCOLN AIRPORT AT 1101 WEST COMMERCE WAY (PUBLIC HEARING & ACTION CONTINUED 1 WEEK TO 5/23/16) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89731 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 16, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Kirti K. Trivedi for LNK Lodging LLC dba Holiday Inn Express and Suites Lincoln Airport at 1101 W. Commerce Way.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF 1ST AVENUE LOUNGE, INC. DBA 1ST AVENUE LOUNGE FOR A CLASS I LIQUOR LICENSE AT 2310 NORTH 1ST STREET, SUITE 7, 8, AND 9 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89732 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 23, 2016, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of 1st Avenue Lounge Inc dba 1st Avenue Lounge for a Class I Liquor License at 2310 North 1st Street, Suites 7, 8, & 9.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF RONALD M. BRYANT FOR 1ST AVENUE LOUNGE, INC. DBA 1ST AVENUE LOUNGE AT 2310 NORTH 1ST STREET, SUITE 7, 8, AND 9 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89733 WHEREAS, 1st Avenue Lounge, Inc. dba 1st Avenue Lounge located at 2310 North 1st Street, Suite 7, 8, and 9, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Ronald M. Bryant be named manager;

WHEREAS, Ronald M. Bryant appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Ronald M. Bryant be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF CHASE ELPL I, LLC DBA CHASE SUITE HOTEL FOR A CLASS I LIQUOR LICENSE AT 200 SOUTH 68TH STREET PLACE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89734 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Chase ELPL I, LLC dba Chase Suite Hotel for a Class "I" liquor license at 200 South 68th Street Place, Lincoln, Nebraska, for the license period ending April 30, 2017, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
 2. The premises must comply in every respect with all city and state regulations.
- The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF JOSHUA D. ERIKSON FOR CHASE ELPL I, LLC DBA CHASE SUITE HOTEL AT 200 SOUTH 68TH STREET PLACE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89735 WHEREAS, Chase ELPL I, LLC dba Chase Suite Hotel located at 200 South 68th Street Place, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Joshua D. Erikson be named manager;

WHEREAS, Joshua D. Erikson appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Joshua D. Erikson be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF AARON J. WORTHAN FOR SAM'S WEST, INC. DBA SAM'S CLUB #6413 AT 4900 NORTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89736 WHEREAS, Sam's West, Inc. dba Sam's Club #6413 located at 4900 North 27th Street, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Aaron J. Worthan be named manager;

WHEREAS, Aaron J. Worthan appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Aaron J. Worthan be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF HONG ZHENG FOR SAVOR RESTAURANT, LLC DBA GINGER AT 6055 APPLES WAY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89737 WHEREAS, Savor Restaurant dba Ginger located at 6055 Apples Way, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Hong Zheng be named manager;

WHEREAS, Hong Zheng appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Hong Zheng be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

**REGULAR MEETING
MAY 23, 2016
PAGE 618**

APPLICATION OF DANMAC, INC. DBA THE KEG TO EXPAND ITS CLASS C LIQUOR LICENSE BY THE ADDITION TO THE AREA OF A NEW LICENSED AREA DESCRIBED AS A ONE STORY BUILDING MEASURING APPROXIMATELY 27 FEET BY 140 FEET INCLUDING AN OUTDOOR AREA MEASURING APPROXIMATELY 18 FEET BY 36 FEET TO THE SOUTHWEST LOCATED AT 104 NORTH 20TH STREET - PRIOR to reading:

CAMP Moved to continue the Public Hearing with Action to 06/06/16.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF GNS CORPORATION DBA CAPPY'S BAR FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 60 FEET AT 5560 SOUTH 48TH STREET ON JUNE 12, 2016 FROM 7:00 A.M. TO 10:00 P.M. - PRIOR to reading:

CAMP Moved to continue the Public Hearing with Action to 06/06/16.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF LINCOLN CHILDREN'S ZOO FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 1500 FEET BY 400 FEET AT 1222 SOUTH 27TH STREET ON JUNE 3, 2016 FROM 6:00 P.M. TO MIDNIGHT - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89738 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Lincoln Children's Zoo for a special designated license to cover an outdoor area measuring approximately 1500 feet by 400 feet at 1222 South 27th Street, Lincoln, Nebraska, on June 3, 2016, between the hours of 6:00 p.m. and midnight, be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 70 FEET BY 72 FEET AT 2100 MAGNUM CIRCLE, SUITE 1 ON JUNE 3, 2016 FROM 6:00 P.M. TO 10:00 P.M. AND JUNE 11, 2016 FROM 3:00 P.M. TO 9:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89739 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Zipline Brewing Co. for a special designated license to cover an outdoor area measuring approximately 70 feet by 72 feet at 2100 Magnum Circle, Suite 1, Lincoln, Nebraska, on June 3, 2016, between the hours of 6:00 p.m. and 10:00 p.m., and June 11, 2013, between the hours of 3:00 p.m. and 9:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

MISCELLANEOUS 16002 - APPLICATION OF IRONWOOD PROPERTIES TO INSTALL A LIGHT POLE IN A BUILDING LINE DISTRICT PER SECTION 27.72.170, FOR PARKING LOT LIGHTING, ON PROPERTY GENERALLY LOCATED AT 4822 PIONEERS BOULEVARD - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89740 WHEREAS, Ironwood Properties, LLC, pursuant to Lincoln Municipal Code § 27.72.170(b)(1) has requested authorization to locate a light pole within an area on the Property (defined below) designated as a building line district in order to light parking stalls associated with use of the Property. The Property is located at 4822 Pioneers Boulevard and legally described as:

The remaining portion of Lot 9 and all of Lots 10-12, Block 45, College View Lincoln, Lancaster County, Nebraska;

WHEREAS, the City Council finds that the location of the light pole otherwise meets the requirements of all applicable ordinances, codes, and design standards.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

In consideration of the findings made above, the request of Ironwood Properties, LLC, hereinafter "Permittee", to locate the light pole within an area on the Property designated as a building line district as shown on the site plan is hereby approved pursuant to § 27.72.170(b)(1) of the Lincoln Municipal Code under the following conditions:

1. The light pole shall be removed at the Permittee's sole cost and expense within thirty (30) days following written notice from the City that said area within the building line district is needed for public use as determined by the City in its sole discretion.
2. The Permittee shall sign and return the attached letter of acceptance agreeing to the terms and conditions of this approval with the City Clerk.
3. No building permit for installation of the light pole will be issued until this resolution and the Letter of Acceptance have been filed of record with the Register of Deeds.
4. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors, and assigns.
5. The City Clerk shall file a copy of this resolution approving the location of the light pole in the building line district and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Cyndi Lamm

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

TEXT AMENDMENT 15008 - AMENDING CHAPTER 3.100 OF THE CITY OF LINCOLN DESIGN STANDARDS FOR OUTDOOR LIGHTING, BY AMENDING SECTION 3 TO REVISE THE DEFINITION OF "CUTOFF AND FULL-CUTOFF"; AMENDING SECTION 4.1 TO ADD A NEW SUBSECTION C. TO PROVIDE THE MAXIMUM AVERAGE MAINTAINED ILLUMINANCE FOR OUTDOOR AREAS UNDER LIGHTED MARQUEES; AND AMENDING SUBSECTION 9.A TO ADD A NEW SUBSECTION 2 TO PROVIDE ACCEPTABLE GLARE MEASUREMENTS FOR ZERO SETBACK PROPERTIES, AND REPEALING SECTIONS 3, 4.1, AND 9.A AS HITHERTO EXISTING - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89741 WHEREAS, the City of Lincoln has previously adopted Resolution No. A-89620 amending and restating in its entirety Chapter 3.100, Design Standards for Outdoor Lighting, of the City of Lincoln Design Standards, to provide design standards for the installation of outdoor luminaires; and

WHEREAS, the Planning Director has proposed amendments to Sections 3, 4.1, and 9.A. of the Design Standards for Outdoor Lighting, by amending Section 3 to revise the Definition of "Cutoff and Full-Cutoff"; amending Section 4.1 to add a new subsection C. To provide the maximum average maintained illuminance for outdoor areas under lighted marquees; and amending subsection 9.A to add a new subsection 2 to provide acceptable glare measurements for zero setback properties, and repealing Sections 3, 4.1, and 9.A as hitherto existing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That Chapter 3.100, Design Standards for Outdoor Lighting, of the City of Lincoln Design Standards, adopted by the City Council on April 11, 2016 by Resolution No. A-89620, be and the same is hereby amended by amending Section 3. Definitions; Section 4.1, Class I Lighting (General), Requirements; and Section 9.A Light Trespass and Glare, as shown on Attachment "A" which is attached hereto and incorporated herein by reference.

Introduced by Cyndi Lamm

Seconded by Fellers & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm; NAYS: Camp, Christensen, Raybould.

APPROVING MICHEAL DESPAIN AS FIRE CHIEF EFFECTIVE JULY 18, 2016 - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89742 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Micheal Despain as Fire Chief effective July 18, 2016, is hereby approved.

Introduced by Cyndi Lamm

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

AMENDING SECTION 1 OF ORDINANCE NO. 20312 APPROVING PRAIRIE VILLAGE NORTH ANNEXATION NO. 16002 TO CORRECT THE LEGAL DESCRIPTION TO BE CONSISTENT WITH THE CORPORATE LIMITS MAP AMENDMENT SHOWN ON ATTACHMENT A ATTACHED TO ORDINANCE NO. 20312 - CLERK read and ordinance, introduced by Cyndi Lamm, an ordinance amending Section 1 of Ordinance No. 20312 including a portion of the vacated CRI&P right-of-way to revise the legal description of the annexation to conform to the Corporate Limits Map attached to and made part of Ordinance No. 18208, the second time.

APPROVING THE ESTABLISHMENT OF THE WEST "O" STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT WITHIN THE EXTERIOR BOUNDARIES OF AN AREA GENERALLY ALONG WEST "O" STREET FROM 3RD STREET ON THE EAST TO HOMESTEAD EXPRESSWAY ON THE WEST AND INCLUDING THE PROPERTY ABUTTING THE NORTH AND SOUTH SIDES OF SAID WEST "O" STREET RIGHT-OF-WAY - PRIOR to reading:

CAMP Moved to continue Public Hearing and Action 1 week to 6/6/16.

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read and ordinance, introduced by Cyndi Lamm, an ordinance creating a business improvement district under the authority of the Business Improvement District Act (Neb. Rev. Stat. § 16-4015 et seq.) and based upon the recommendations received from the duly appointed West "O" Street Business Improvement Board to be known as the West "O" Street Maintenance Business Improvement District for the purpose of providing for the maintenance, repair, and reconstruction of certain public facilities and improvements within the area generally abutting the north and south sides of West O Street from 3rd Street on the east and the Homestead Expressway on the west; providing for special assessments to be imposed within the district based upon the benefits conferred; and providing maximum limits upon such assessments, the second time.

ORDINANCES - 3rd READING & RELATED RESOLUTIONS

APPROVING THE ESTABLISHMENT, EFFECTIVE 9/1/2016, OF THE DOWNTOWN CORE MANAGEMENT BUSINESS IMPROVEMENT DISTRICT WITHIN THE EXTERIOR BOUNDARIES OF AN AREA GENERALLY EXTENDING FROM N STREET ON THE SOUTH AND PINNACLE ARENA DRIVE ON THE WEST; THENCE NORTH AND NORTHEASTERLY ALONG PINNACLE ARENA DRIVE TO 8TH STREET; THENCE SOUTH ALONG 8TH STREET TO S STREET; THENCE EAST ALONG S STREET TO 9TH STREET; THENCE SOUTH ALONG 9TH STREET TO Q STREET; THENCE EAST ALONG Q STREET TO 10TH STREET; THENCE NORTH ALONG 10TH STREET TO A POINT APPROXIMATELY MID-BLOCK BETWEEN Q STREET AND R STREET; THENCE EAST ALONG SAID MID-BLOCK POINT TO 14TH STREET; THENCE SOUTH ALONG 14TH STREET TO Q STREET; THENCE EAST ALONG Q STREET TO CENTENNIAL MALL; THENCE SOUTH ALONG CENTENNIAL MALL TO M STREET; THENCE WEST ALONG M STREET TO 13TH STREET; THENCE SOUTH ALONG 13TH STREET TO L STREET; THENCE WEST ALONG L STREET TO 12TH STREET; THENCE NORTH ALONG 12TH STREET TO M STREET; THENCE WEST ALONG M STREET TO 9TH STREET; THENCE NORTH ALONG 9TH STREET TO N STREET; THENCE WEST ALONG N STREET TO PINNACLE ARENA DRIVE, TO REPLACE THE EXISTING CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY IN THE DOWNTOWN AREA WHICH EXPIRES ON 8/31/2016. (RELATED ITEMS: 16-44, 16-45, 16-46, 16-47) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, an ordinance creating a business improvement district under the authority of the Business Improvement District act (Neb. Rev. Stat § 19-4015, et seq.) and based upon the recommendations received from the duly appointed Downtown Business Improvement Board to be known as the Downtown Core Management Business Improvement District for enhanced promotion and programming of downtown Lincoln as a regional destination within the exterior boundaries of an area generally extending from N Street on the south and Pinnacle Arena Drive on the west; thence north and northeasterly along Pinnacle Arena Drive to 8th Street; thence south along 8th Street to S Street; thence east along S Street to 9th Street; thence south along 9th Street to Q Street; thence east along Q Street to 10th Street; thence north along 10th Street to a point approximately mid-block between Q Street and R Street; thence east along said mid-block point to 14th Street; thence south along 14th Street to Q Street; thence east along Q Street to Centennial Mall; thence south along Centennial Mall to M Street; thence west along M Street to 13th Street; thence south along 13th Street to L Street; thence west along L Street to 12th Street; thence north along 12th Street to M Street; thence west along M Street to 9th Street; thence north along 9th Street to N Street; thence west along N Street to Pinnacle Arena Drive ("Exterior Boundary Area"); providing for special assessments to be imposed within the district based upon the benefits conferred; and providing maximum limits upon such assessments, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20330**, is recorded in Ordinance Book 31.

APPROVING THE ESTABLISHMENT, EFFECTIVE 9/1/2016, OF THE DOWNTOWN MANAGEMENT BUSINESS IMPROVEMENT DISTRICT WITHIN THE EXTERIOR BOUNDARIES OF AN AREA GENERALLY EXTENDING FROM N STREET ON THE SOUTH AND PINNACLE ARENA DRIVE ON THE WEST; THENCE NORTH AND NORTHEASTERLY ALONG PINNACLE ARENA DRIVE TO 9TH STREET; THENCE SOUTHEASTERLY ALONG 9TH STREET AND I-180 TO A POINT APPROXIMATELY MID-BLOCK BETWEEN R STREET AND Q STREET; THENCE EAST ALONG SAID MID-POINT TO 14TH STREET; THENCE SOUTH ALONG 14TH STREET TO Q STREET; THENCE EAST ALONG Q STREET TO 17TH STREET; THENCE SOUTH ALONG 17TH STREET TO K STREET; THENCE WEST ALONG K STREET TO 14TH STREET; THENCE SOUTH ALONG 14TH STREET TO A POINT APPROXIMATELY MID-BLOCK BETWEEN LINCOLN MALL AND H STREET; THENCE WEST ALONG SAID MID-BLOCK POINT TO 10TH STREET; THENCE SOUTH ALONG 10TH STREET TO K STREET; THENCE WEST ALONG K STREET TO 8TH STREET; THENCE NORTH ALONG 8TH STREET TO N STREET; THENCE WEST ALONG N STREET TO PINNACLE ARENA DRIVE, TO REPLACE THE EXISTING BUSINESS IMPROVEMENT DISTRICT OVERLAY IN THE DOWNTOWN AREA WHICH EXPIRES ON 8/31/2016. (RELATED ITEMS: 16-44, 16-45, 16-46, 16-47) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, an ordinance creating a business improvement district under the authority of the Business Improvement District act (Neb. Rev. Stat § 19-4015, et seq.) and based upon the recommendations received from the duly appointed Downtown Business Improvement Board to be known as the Downtown Management Business Improvement District for the purpose of guiding downtown Lincoln's evolution as a vibrant mixed use center, positioning downtown Lincoln as a hub for innovation and entrepreneurship, and making downtown Lincoln more livable and workable through economic development activities, advocacy, and special projects that affect downtown Lincoln within the exterior boundaries of an area generally extending from N Street on the south and Pinnacle Arena Drive on the west; thence north and northeasterly along Pinnacle Arena Drive to 9th Street; thence southeasterly along 9th Street and I-180 to a point approximately mid-block between R Street and Q Street; thence east along said mid-block point to 14th Street; thence south along 14th Street to Q Street; thence east along Q Street to 17th street; thence south along 17th Street to K Street; thence west along K Street to 14th Street; thence south along 14th Street to a point approximately mid-block between Lincoln Mall and H Street; thence west along said mid-block point to 10th Street; thence south along 10th Street to K Street; thence west along K Street to 8th Street; thence north along 8th Street to N Street; thence west along N Street to Pinnacle Arena Drive ("Exterior Boundary Area"); providing for special assessments to be imposed within the district based upon the benefits conferred; and providing maximum limits upon such assessments, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20331**, is recorded in Ordinance Book 31.

APPROVING THE DISESTABLISHMENT OF THE WEST HAYMARKET/DOWNTOWN CORE MANAGEMENT BUSINESS IMPROVEMENT DISTRICT, THE BOUNDARIES OF WHICH GENERALLY EXTEND ALONG THE EXTERIOR LINES OF PINNACLE ARENA DRIVE ON THE WEST AND NORTH, NORTH 8TH AND NORTH 9TH STREETS ON THE EAST, AND O AND N STREETS ON THE SOUTH, EFFECTIVE AUGUST 31, 2016. (RELATED ITEMS: 16-44, 16-45, 16-46, 16-47) - CLERK read and ordinance, introduced by Leirion Gaylor Baird, an ordinance disestablishing the West Haymarket/Downtown Core Management Business Improvement District under the authority of the Business Improvement District Act (Neb. Rev. Stat. § 19-4015, et seq.), the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20332**, is recorded in Ordinance Book 31.

APPROVING THE DISESTABLISHMENT OF THE WEST HAYMARKET/DOWNTOWN MANAGEMENT BUSINESS IMPROVEMENT DISTRICT, THE BOUNDARIES OF WHICH GENERALLY EXTEND ALONG THE EXTERIOR LINES OF PINNACLE ARENA DRIVE ON THE WEST AND NORTH, NORTH 10TH STREET ON THE EAST, AND Q, R AND N STREETS ON THE SOUTH, EFFECTIVE AUGUST 31, 2016. (RELATED ITEMS: 16-44, 16-45, 16-46, 16-47) - CLERK read and ordinance, introduced by Leirion Gaylor Baird, an ordinance disestablishing the West Haymarket/Downtown Management Business Improvement District under the authority of the Business Improvement District act (Neb. Rev. Stat. § 14-4015, et seq.), the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20333**, is recorded in Ordinance Book 31.

RESOLUTIONS - 1ST READING

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MAY 1-15, 2016.

SPECIAL PERMIT 16022 - APPLICATION OF JOSHUA NIX FOR A LICENSED EARLY CHILDHOOD CARE FACILITY, INCLUDING A WAIVER TO THE PARKING DESIGN STANDARDS, ON PROPERTY GENERALLY LOCATED AT 6519 COLBY STREET.

APPOINTING PATRICK WARD TO THE ALARM APPEALS BOARD FOR A TERM EXPIRING JULY 1, 2017.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$6,300,000 AGGREGATE STATED PRINCIPAL AMOUNT OF GENERAL OBLIGATION STORM SEWER AND DRAINAGE SYSTEM BONDS OF THE CITY OF LINCOLN, NEBRASKA - CLERK read an ordinance, introduced by Jane Raybould, an ordinance authorizing and providing for the issuance, sale and delivery of general obligation stormwater drainage and flood management system bonds, series 2016, of the City of Lincoln, Nebraska, in an aggregate principal amount not to exceed \$6,300,000 (the "bonds"), for the purpose of paying the costs of constructing improvements and extensions to the City's stormwater drainage and flood management system; prescribing certain terms of the bonds; delegating, authorizing and directing the finance director to exercise his independent judgement and absolute discretion in determining certain other terms of the bonds; providing for the payment of the principal of and interest on the bonds by the levy of a tax on all of the taxable property within the city; authorizing and approving certain other related matters; and declaring an emergency, the first time.

STREET & ALLEY VACATION 16001 - VACATING A PORTION OF THE NORTH 50TH STREET PUBLIC RIGHT-OF-WAY BETWEEN THE SOUTH RIGHT-OF-WAY LINE OF ST. PAUL AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF BALDWIN AVENUE. (RELATED ITEMS: 16-52, 16R-111) - CLERK read an ordinance, introduced by Jane Raybould, an ordinance vacating a portion of North 50th Street public right-of-way line of Baldwin Avenue, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

PRE-EXISTING SPECIAL PERMIT 23H - APPLICATION OF NEBRASKA WESLEYAN UNIVERSITY TO AMEND THE SPECIAL PERMIT TO INCLUDE A NEW 75,000 SQUARE FOOT SCIENCE BUILDING, INCLUDING A WAIVER OF THE 35-FOOT MAXIMUM HEIGHT RESTRICTION, INCLUDE ASSOCIATED PARKING, AND EXPAND THE SPECIAL PERMIT BOUNDARY TO ACCOMMODATE ADDITIONAL OFF-STREET PARKING FOR NEBRASKA WESLEYAN UNIVERSITY ON PROPERTY GENERALLY LOCATED AT NORTH 50TH STREET AND HUNTINGTON AVENUE. (RELATED ITEMS: 16-52, 16R-111)

CHANGE OF ZONE 16010 - APPLICATION OF LANCASTER COUNTY BOARD OF COMMISSIONERS FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 2201 SOUTH 17TH STREET. (RELATED ITEMS 16-53, 16R-110) - CLERK read an ordinance, introduced by Jane Raybould, an ordinance amending the Zoning District Maps adopted by reference and made a part of the Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA AND THE COUNTY OF LANCASTER, NEBRASKA TO RESTRICT USE OF THE PROPERTY UNDER THE PROPOSED CHANGE OF ZONE NO. 16010 ON PROPERTY GENERALLY LOCATED AT 2201 SOUTH 17TH STREET. (RELATED ITEMS 16-53, 16R-110)

CHANGE OF ZONE 16015 - APPLICATION OF CAPITOL GROUP, INC. FOR A CHANGE OF ZONE FROM B-1 LOCAL BUSINESS DISTRICT TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT 1404 SUPERIOR STREET - CLERK read an ordinance, introduced by Jane Raybould, an ordinance amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, Pursuant to Section 27.050.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND SILVER PROPERTIES, LLC FOR A LEASE OF SPACE FOR A ONE-YEAR TERM FOR USE BY THE LINCOLN POLICE DEPARTMENT - CLERK read an ordinance, introduced by Jane Raybould, an ordinance accepting and approving a Lease Agreement between Silver Properties, LLC and the City of Lincoln for a lease of space for a term of November 1, 2016 through October 31, 2017, for a use by the Lincoln Police Department, the first time.

ADJOURNMENT

6:36 P.M.

CHRISTENSEN Moved to adjourn the City Council Meeting of May 23, 2016.
 Seconded by Raybould & carried by the following vote; AYES: Camp, Christensen, Eskridge,
 Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Teresa Meier, City Clerk

Mo net J. McCullen, Office Specialist

